

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of BOBBY LOWERISE
HENDERSON, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MARY A. JONES,

Respondent-Appellant.

UNPUBLISHED
October 22, 1999

No. 210114
Wayne Juvenile Court
LC No. 91-295785

Before: Whitbeck, P.J., and Gribbs and White, JJ.

MEMORANDUM.

Respondent appeals as of right from an order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(c)(i), (g) and (j). We affirm.

We reject respondent's constitutional challenges to the dispositional hearing procedure, which allows the court, after assuming jurisdiction over the matter, to terminate parental rights without a jury trial and without all of the procedural safeguards that normally accompany it. "The requirements of due process do not prevent the admission of hearsay testimony as long as the evidence is fair, reliable and trustworthy." *In re Ovalle*, 140 Mich App 79, 82; 363 NW2d 731 (1985). Respondent has not shown that the evidence admitted in this case was other than fair, reliable or trustworthy. Further, MCR 5.974(A)(3), which provides that there is no right to a jury determination at a proceeding to terminate parental rights, is constitutional. Cf. *In re Colon*, 144 Mich App 805, 816-819; 377 NW2d 321 (1985).

Next, we find no merit to respondent's claims that the Family Independence Agency failed to make reasonable efforts to reunite her with her child, or that the court clearly erred in finding

that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

Affirmed.

/s/ William C. Whitbeck

/s/ Roman S. Gribbs

/s/ Helene N. White